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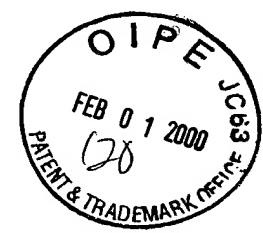
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Patent
Attorney's Docket No. 012712-432

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
)
Darrell R. ANDERSON et al)
)
Application No.: 08/921,060)
)
Filed: August 29, 1997)
)
For: THERAPEUTIC APPLICATION OF)
CHIMERIC AND RADIOLABELED)
ANTIBODIES TO HUMAN B)
LYMPHOCYTE RESTRICTED)
DIFFERENTIATION ANTIGEN FOR)
TREATMENT OF B CELL LYMPHOMA)

Group Art Unit: 1644
Examiner: R. Schwadron, Ph.D.



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REPLY PURSUANT TO 37 C.F.R. § 1.111

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed on January 18, 2000, in connection with the above-identified application, Applicants provide the following remarks.

REMARKS

This Reply is being submitted in order to correct an inadvertent oversight in Applicants' Response filed on December 20, 1999, wherein the rejection set forth in paragraph 5 was inadvertently not positively addressed.

In response thereto, Applicants respectfully advise that a cell line which produces the exemplified chimeric anti-CD20 antibody was deposited according to the Budapest Treaty on November 4, 1992, with the American Type Culture Collection (ATCC), then

located at 12301 Parklawn Drive, Rockville, MD 20852. As described at page 62 of the subject application, this microorganism was tested by the ATCC on November 9, 1992 for viability and was determined to be viable on that date.

The undersigned further respectfully avers that all restrictions imposed by the Depositor on the availability of this cell line will be irrevocably removed upon a granting of a patent to the subject application. Therefore, based on the foregoing, withdrawal of the §112, first paragraph, rejection as it was set forth in paragraph of the July 20, 1999 Office Action is respectfully believed to be in order. Also, it is respectfully noted that attorneys and registered agents are permitted to make such statement and it is not necessary to submit such information in the form of an Affidavit or Declaration.

Based on the foregoing, and for the reasons set forth in Applicants' previous Reply, favorable examination on the merits and allowance of this application is respectfully solicited. If the Examiner has any further questions in connection with this application, it would be appreciated if he would telephone the undersigned so that prosecution of this application could be expedited.



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Date: February 1, 2000

Respectfully submitted,

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